

Exhibit 1

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UMUOJI IMPROVEMENT UNION
(NORTH AMERICA), INC.

Plaintiff

v.

Civil Action No.: 1:20-CV-12229

UMUOJI IMPROVEMENT UNION
(NORTH AMERICA), INC., UMUOJI
IMPROVEMENT UNION, MASSACHUSETTS,
INC., VICTOR IDE OKOYE and OGOR OKOYE

Defendants

**PLAINTIFF'S [PROPOSED] REPLY TO DEFENDANTS' NOTICE TO COURT [DOC.
#37]**

Plaintiff submits this reply memorandum in order to address certain information provided by the defendants in Defendants' Notice to Court Pursuant to the Court's Memorandum and Order on Plaintiff's motion for Preliminary Injunction Dated May 4, 2021 ("Notice").

Rather than simply notify the Court of the parties assent to the appointment of a master or custodian as outlined in its Order dated May 4, 2021 ("Order"), the defendants instead seek to use the Notice as a means of scoring points by portraying the plaintiff as unreasonable. The second paragraph of the Notice states:

Defendants further state that their attempts to meet with the other side to settle this matter out of court was rejected by Plaintiff's Attorney on May 12, 2021 who instead of responding to this offer, merely restated the terms of their original proposal on March 4, 2021.

To clarify: pursuant to the Order, on May 10, 2021, the undersigned counsel sent defendants' counsel an email with a list of mediators to consider. See Exhibit A, appended.

Around this same time, defendants' counsel sent the undersigned an email stating that the

defendants did not wish to use a mediator and that they would ideally like to settle this matter out of court to limit expenses. The undersigned then extended an offer of settlement containing the following terms:

1. Defendants agree to stop using the Umuoji Improvement Union ("UIU") name;
2. Defendants agree to stop using UIU's IRS tax identification number; and
3. All pending litigation be dismissed with prejudice.

See Exhibit B, appended.

Defendants' counsel never responded to this email but instead filed the Notice.

Respectfully submitted,

UMUOJI IMPROVEMENT UNION
(NORTH AMERICA), INC.,

Plaintiff,

By its attorney,

/s/ Travis T. Pregent

Travis T. Pregent (BBO: 682998)

PREGENT LAW

One State Street, 1200

Boston, MA 02109

(978) 381-3256

travis@pregentlaw.com

Exhibit A

Travis Pregent <Travis@pregentlaw.com>

Mon, May 10, 1:35 PM
(7 days ago)

Attorney Okoye:

Pursuant to the Court's Preliminary Injunction and Order of May 4, 2021, my clients will agree to retain a mediator and I have included below a list of three possible options:

Bonnie McCloud, Ret.
Nancy Staffier-Holtz, Ret.
Brad Honoroff

Please let me know if your clients agree to a mediator and if you have any preferences regarding the same.

Sincerely,

Travis

--

Travis T. Pregent, Esq.

PREGENT LAW

One State Street, Suite 1200, Boston, MA 02109
One Hundred Cummings Center, Suite 207P, Beverly, MA 01915
Office. 978.381.3256 | Cell. 978-317-
2203 | Fax. 978.633.9048
travis@pregentlaw.com
www.pregentlaw.com

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Exhibit B

Travis Pregent <Travis@pregentlaw.com>

Wed, May 12, 10:50 AM
(5 days ago)

to Ogor

Attorney Okoye:

My client's are willing to re-extend their previous offer containing the following terms:

1. Defendants agree to stop using the Umuoji Improvement Union ("UIU") name;
2. Defendants agree to stop using UIU's IRS tax identification number; and
3. All pending litigation be dismissed with prejudice

If you/your clients do not agree to this offer and do not wish to appoint a mediator then, pursuant to the Court's Order, a master will be appointed with both sides responsible for costs.

Sincerely,

Travis
